

**AN ORDINANCE 2006-03-09-0332**

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY  
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED  
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY  
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE  
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 1A, 1B, 4A, 4B, 4C, 4D, 4E and 4F, Block 11, NCB 15502 from "C-3" General Commercial District to "C-3" S General Commercial District with Specific Use Permit for an Auto Body and Paint Shop.

**SECTION 2.** The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

**SECTION 3.** The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. Ingress and egress to the rear gated entrance be limited to Monday through Friday from 8:00 a.m. to 6:00 p.m.
- B. A "Type C" vegetative buffer should be constructed at the rear of the property.

**SECTION 4.** The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "A" and made a part hereof and

incorporated herein for all purposes.

**SECTION 5.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

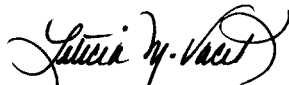
**SECTION 6.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 7.** If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through five of this ordinance, then sections one through five are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

**SECTION 8.** This ordinance shall become effective on March 19, 2006.

**PASSED AND APPROVED** this 9<sup>th</sup> day of March, 2006.

ATTEST:

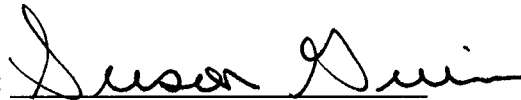
  
City Clerk



M A Y O R

PHIL HARDBERGER

APPROVED AS TO FORM:

  
For City Attorney

# Agenda Voting Results

**Name:** Z-9.

**Date:** 03/09/06

**Time:** 03:35:09 PM

**Vote Type:** Multiple selection

**Description:** ZONING CASE #Z2006020 S (District 4): An Ordinance amending the zoning district boundary from "C-3" General Commercial District to "C-3" S General Commercial District with Specific Use Permit for an Auto Body and Paint Shop on Lots 1A, 1B, 4A, 4B, 4C, 4D, 4E and 4F, Block 11, NCB 15502, 2424 Southwest Loop 410 as requested by Joel Ferdin, Applicant, for Joel Ferdin, Owner(s). Staff and Zoning Commission recommend Approval.

| Voter                    | Group       | Status      | Yes | No | Abstain |
|--------------------------|-------------|-------------|-----|----|---------|
| ROGER O. FLORES          | DISTRICT 1  | Not present | x   |    |         |
| SHEILA D. MCNEIL         | DISTRICT 2  |             |     |    |         |
| ROLAND GUTIERREZ         | DISTRICT 3  |             | x   |    |         |
| RICHARD PEREZ            | DISTRICT 4  |             | x   |    |         |
| PATTI RADLE              | DISTRICT 5  |             | x   |    |         |
| DELICIA HERRERA          | DISTRICT 6  |             | x   |    |         |
| ELENA K. GUAJARDO        | DISTRICT 7  |             | x   |    |         |
| ART A. HALL              | DISTRICT 8  |             | x   |    |         |
| KEVIN A. WOLFF           | DISTRICT 9  |             | x   |    |         |
| CHIP HAASS               | DISTRICT_10 |             | x   |    |         |
| MAYOR PHIL<br>HARDBERGER | MAYOR       |             | x   |    |         |

